

concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 9

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world due to the symbiotic relationship that has existed among these industries for many decades;

Whereas, for nearly a century, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio airplay, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and the House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disasters, as well as public affairs programming, sports, and hundreds of millions of dollars worth of time for public service announcements and local fund raising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music, including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress should not impose any new performance fee, tax, royalty, or other charge—

(1) relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air; or

(2) on any business for the public performance of sound recordings on a local radio station broadcast over the air.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1476. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table.

SA 1477. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1478. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1479. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1480. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1481. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1482. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1484. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1485. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1489. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID-19 pandemic on Alaskan communities, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation.

SA 1490. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, supra; which was referred to the Committee on Commerce, Science, and Transportation.

SA 1491. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, supra; which was referred to the Committee on Commerce, Science, and Transportation.

TEXT OF AMENDMENTS

SA 1476. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . WAIVER.

(a) WIFIA DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

“(10) RURAL COMMUNITY.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.”.

(b) FEES.—Section 5029(b)(7) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(7)) is amended—

(1) in subparagraph (A), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(2) by adding at the end the following:

“(C) WAIVER.—On request of an eligible entity, the Secretary or the Administrator, as applicable, may waive the application fee for—

“(i) a small community water infrastructure project described in section 5028(a)(2)(B); and

“(ii) a project to be carried out in a rural community.”.

SA 1477. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 . FLEXIBLE FINANCING.

(a) WIFIA DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

“(10) RURAL COMMUNITY.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.”.

(b) TERMS AND LIMITATIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding clause (i) (as so redesignated), by striking “The amount” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount”; and

(C) by adding at the end the following:

“(B) PROJECTS IN RURAL COMMUNITIES.—In the case of a project receiving assistance

under this subtitle in a rural community, the amount of a secured loan under this section shall not exceed the lesser of—

“(i) an amount equal to 67 percent of the reasonably anticipated eligible project costs; and

“(ii) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.”; and

(2) in paragraph (5)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “The final” and inserting “Except as provided in subparagraphs (B) and (C), the final”; and

(B) by adding at the end the following:

“(C) SPECIAL RULE FOR PROJECTS IN RURAL COMMUNITIES.—In the case of a project receiving assistance under this subtitle in a rural community, the final maturity date of a secured loan under this section shall be the earlier of—

“(i) the date that is 40 years after the date of substantial completion of the relevant project (as determined by the Secretary or the Administrator, as applicable); and

“(ii) if the useful life of the project (as determined by the Secretary or Administrator, as applicable) is less than 40 years, the useful life of the project.”.

SA 1478. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. RESCISSION OF FUNDS.

From the unobligated balances of each discretionary appropriation for fiscal year 2021, there is rescinded on a pro rata basis the amount necessary to reduce the total amount of discretionary appropriations for fiscal year 2021 by \$35,000,000,000.

SA 1479. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 21 and all that follows through page 7, line 21, and insert the following:

(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—Section 1452(d)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(1)) is amended—

(1) by striking “Notwithstanding any” and inserting the following:

“(A) IN GENERAL.—Notwithstanding any”;

(2) in subparagraph (A) (as so designated), by inserting “, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt” after “forgiveness of principal”; and

(3) by adding at the end the following:

“(B) EXCLUSION.—A loan from a State loan fund with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subsection.”.

SA 1480. Mr. LEE submitted an amendment intended to be proposed to

amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, strike lines 3 through 5 and insert the following:

(1) in subsection (a)—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4);

SA 1481. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, strike lines 16 through 22 and insert the following:

(3) USE OF FUNDS LIMITATIONS.—A grant under the pilot program shall not be used to replace funds for any existing similar program.

SA 1482. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—LIMITATION

SEC. 301. LIMITATION ON SOURCES OF ASSISTANCE.

Notwithstanding any other provision of law, an entity may not receive a grant, loan, or other assistance from more than 1 program under this Act or an amendment made by this Act.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NAVIGABLE WATERS PROTECTION RULE.

(a) IN GENERAL.—The final rule of the Corps of Engineers and the Environmental Protection Agency entitled “The Navigable Waters Protection Rule: Definition of ‘Waters of the United States’” (85 Fed. Reg. 22250 (April 21, 2020)) is enacted into law.

(b) JUDICIAL REVIEW.—The final rule enacted into law under subsection (a) shall not be subject to judicial review.

SA 1484. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe

Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 79, strike line 21 and all that follows through page 80, line 15, and insert the following:

“(1) COST SHARE.—A grant under the program shall not exceed 50 percent of the total cost of the proposed project.

“(2) REQUIREMENTS.—The requirements of

SA 1485. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, strike line 12 and insert the following:

“(B) a community within which the median household income is less than 60 percent of the statewide median household income; or

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.—Notwithstanding any other provision of this section, the President may not establish or extend a national monument in the State of Utah (referred to in this subsection as the ‘State’) unless—

“(1) the extension or establishment has been authorized by an Act of Congress; and

“(2) the President has received from the Governor of the State notice that the State legislature has enacted legislation approving the proposed establishment or extension.”.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 221.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and